

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SYED VAHID HASAN,)	
Plaintiff,)	
)	
v.)	C.A. No. 05-11252-MEL
)	
BOSTON UNIVERSITY,)	
Defendant.)	

MEMORANDUM AND ORDER

On June 14, 2005, plaintiff Syed Vahid Hasan submitted for filing an employment discrimination complaint accompanied by an Application to Proceed Without Prepayment of Fees.

For the reasons stated below, plaintiff's Application to Proceed Without Prepayment of Fees is denied without prejudice.

DISCUSSION

A party filing a complaint in this Court must either (1) pay the \$250.00 filing fee for such actions or (2) file an application to proceed in forma pauperis. See 28 U.S.C. § 1914 (\$250.00 filing fee); § 1915 (proceedings in forma pauperis).

Plaintiff failed to provide the Court with an application to proceed without prepayment of fees containing his signature and his one word answer to Question Number 5 on the application is illegible. Rule 11(a) of the Federal Rules of Civil Procedure requires that "[e]very pleading . . . if the party is not represented by an attorney, shall be signed by the party." See Fed. R. Civ. P. Rule 11(a); see also District of Massachusetts Local Rule 5.1 (a)(1) ("The provisions of the Federal Rules of Civil Procedure pertaining to the form and signing of pleadings,

motions, and other papers shall be applicable to all papers filed in any proceeding in this court.").

Thus, plaintiff's application will be denied without prejudice to its re-filing. If plaintiff does not pay the filing fee or submit a new application to proceed without prepayment of fees within thirty-five (35) days of the date of this order, this case will be dismissed without prejudice for failure to pay the filing fee.

CONCLUSION

Accordingly, the Court denies without prejudice plaintiff's application to proceed without prepayment of fees. If plaintiff chooses to proceed with prosecution of this case, he must, within thirty-five (35) days of the date of this order, (1) pay the filing fee; or (2) file a new application.

The Clerk shall send plaintiff an application to proceed without prepayment of fees.

SO ORDERED.

June 27, 2005
DATE

/s/ Morris E. Lasker
MORRIS E. LASKER
UNITED STATES SENIOR DISTRICT JUDGE